

To: Monsen, Dawn M.[dawn.monsen@klgates.com]
Cc: Mack, Karyllan Dodson[Karyllan.Mack@klgates.com]
Bcc: Yeh, Alice[Yeh.Alice@epa.gov]
From: Flanagan, Sarah
Sent: Tue 7/16/2013 8:56:06 PM
Subject: NJDEP Cooperative Agreement

Dawn,

I will enquire about the State Cooperative Agreement (SCA) V97250707.

It may allay your Group members' concerns to know that the primary reason we removed the charges under SCA 99291098 from the Sept. 2008 bill was that we could not be sure they were incurred subsequent to the effective date of the RI/FS AOC. SCA V97250707 is a new SCA that became effective on 10/1/2007, so that same concern does not arise. The SCA charges included in the January 2012 and May 2013 bills were supported by NJDEP with documentation showing the time charged to the 17-mile RI/FS, which we provided.

Regards,

-Sarah

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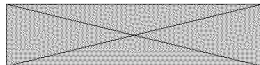
From: Monsen, Dawn M. [<mailto:dawn.monsen@klgates.com>]
Sent: Monday, July 15, 2013 5:06 PM

To: Flanagan, Sarah
Cc: Mack, Karyllan Dodson
Subject: NJDEP Cooperative Agreement

Sarah,

Would you be able to send us a copy of the NJDEP State Cooperative Agreement? A couple of Group members have asked for it in follow-up to the recent RI/FS bill for collection. We are trying to better understand the NJDEP costs allocated to OU3. In reviewing past bills, it appears that NJDEP oversight costs pursuant to the SCA were initially included in EPA's September 2008 bill for collection, but later removed upon EPA's review of NJDEP's backup documentation and conclusion that the SCA charge did not meet the definition of Future Response Costs. NJDEP costs were allocated to OU3 in the January 2012 and May 2013 bills for collection.

Thanks,
Dawn



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